

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA**

Case No.: 3:05-cv-00337-GCM

MOTOWN RECORD COMPANY, L.P., a)
California limited partnership; SONY BMG)
MUSIC ENTERTAINMENT, a Delaware general)
partnership; CAPITOL RECORDS, INC., a)
Delaware corporation; UMG RECORDINGS,)
INC., a Delaware corporation; and ELEKTRA)
ENTERTAINMENT GROUP INC., a Delaware)
corporation,)

Plaintiffs,)

v.)

CASENA MICHAEL,)

Defendant)

DEFAULT JUDGMENT AND PERMANENT INJUNCTION

Based upon Plaintiffs' Motion For Default Judgment, and good cause appearing therefore, it is hereby Ordered and Adjudged that:

1. Plaintiffs seek the minimum statutory damages of \$750 per infringed work, as authorized under the Copyright Act (17 U.S.C. § 504(c)(1)), for each of the seven sound recordings listed in Exhibit A to the Complaint. Accordingly, having been adjudged to be in default, Defendant shall pay damages to Plaintiffs for infringement of Plaintiffs' copyrights in the sound recordings listed in Exhibit A to the Complaint, in the total principal sum of Five Thousand Two Hundred and Fifty Dollars (\$5,250.00).

2. Defendant further shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in the following copyrighted sound recordings:

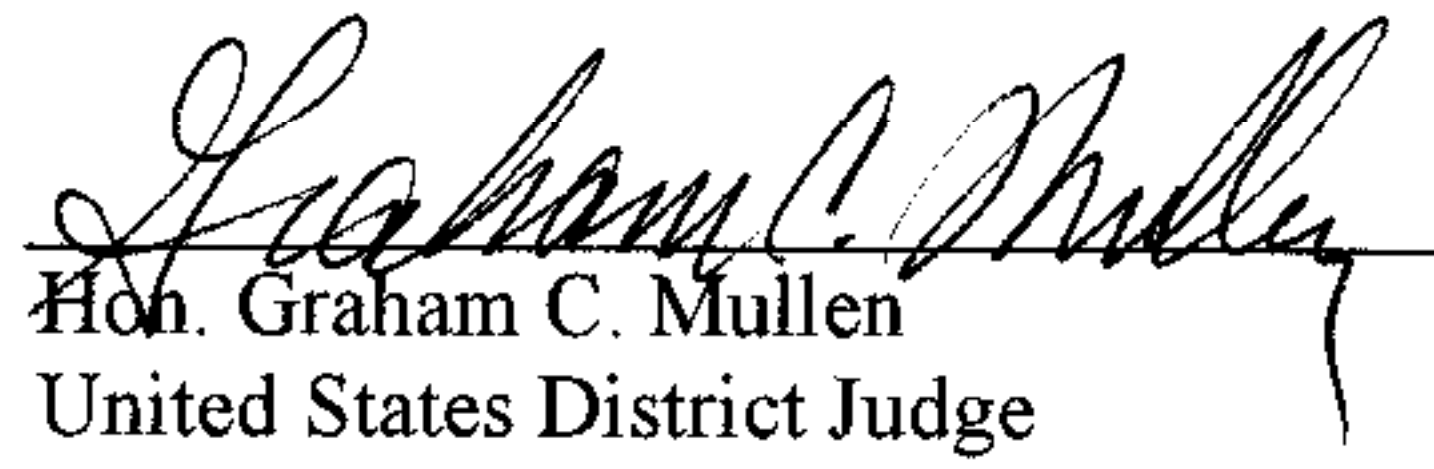
- "Young Love," on album "Irons in the Fire," by artist "Teena Marie" (SR# 19-818);
- "All Night Long," on album "Can't Slow Down," by artist "Lionel Richie" (SR# 49-235);
- "Dear Lover," on album "Robbery," by artist "Teena Marie" (SR# 50-515);
- "Jam Tonight," on album "Just Like The First Time," by artist "Freddie Jackson" (SR# 81-370);
- "Please Don't Go," on album "Cooleyhighharmony," by artist "Boyz II Men" (SR# 212-333);
- "Never Make A Promise," on album "Dru Hill," by artist "Dru Hill" (SR# 227-760);
- "Can't No Man," on album "A Nu Day," by artist "Tamia" (SR# 293-084);

and in any other sound recording, whether now in existence or later created, that is owned or controlled by the Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media distribution system to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e., upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs. Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant has downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

DATED:

30 Jan 06

By:


Hon. Graham C. Mullen
United States District Judge